

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 144 OF 2006

IN

PUBLIC INTEREST LITIGATION NO. 66 OF 2005

Dinkar Sadashiv Kamble

...Petitioner

Versus

State of Maharashtra and others
Respondents

...

Petitioner-in-person present.

Mr. P.M. Patil, Assistant Government Pleader, for respondent No.1.

Mr. R.G. Ketkar for respondent Nos. 2 and 3.

CORAM: **H.L. GOKHALE, Ag. C.J., &**
V.M. KANADE, J.

DATE: **FEBRUARY 28, 2007.**

P.C.

This is a petition which seeks review of the order passed by an earlier Division Bench on 19th July, 2006, whereby the petitioner withdrew that writ petition in view of the objection raised by the counsel for respondent Nos. 2 and 3 that the subject matter did not fall within the domain of public interest litigation. The petition was more in the nature of grievances concerning service matters. Reference was made to the judgment of the Apex Court in *Ashok Kumar Pandey vs. State of West Bengal* (AIR 2004 SC 280) where the Apex Court has

observed that in service matters PIL should not be entertained. The petition was, therefore, withdrawn on 19th July, 2006. Inasmuch as both those judges are presently not available at the main seat, the review petition is placed before this Bench.

2. After the matter was heard for some time, Mr. Kamble, petitioner-in-person, seeks leave to withdraw the petition. He states that he may be granted liberty to file a precise service petition. Mr. Ketkar opposes the prayer. Even so, we allow the petition to be withdrawn with liberty.

ACTING CHIEF JUSTICE

V.M. KANADE, J.